

JOURNAL OF THE HOUSE.

Thursday, January 8, 2009.

Met at twenty-three minutes before twelve o'clock noon, in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority of Rule 5, to perform the duties of the Chair.

The Reverend Robert F. Quinn, C.S.P., Chaplain of the House from 1983 to present, having accepted the appointment as Chaplain of the House, was present, and the prayer was offered by him, as follows:

Eternal God, today, the second day of the 186th General Court, we begin our many, perhaps at times burdensome, formal and informal legislative sessions. We know that our agenda for the next two years lists many different and often controversial items which must be addressed. We pray that Your gift of wisdom will enable us to comprehend clearly the legislative items which come before us and to formulate our thoughtful decisions on valid and solid data. We also pray that our hearts and minds will be filled with personal peace, enthusiasm and courage as we work together to build just, caring and ethical communities. In this age of terrorism and violence against the innocent and defenseless, help us to recognize and respect the personal dignity of each and every individual in our communities.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Appointment to a Special Commission.

The Speaker announced the appointment of Mr. Garballey of Arlington to the special commission (under Section 106 of Chapter 182 of the Acts of 2008) on civic engagement and learning.

Civic
Engagement.

Resolutions.

The following resolutions (filed with the Clerk) were considered forthwith, under suspension of the rules, in each instance, on motion of Mr. Scaccia of Boston; and they were adopted, as follows:

Resolutions (filed by Mr. Stanley of Waltham) congratulating Brendan Costello on receiving the Eagle Award of the Boy Scouts of America;

Brendan
Costello.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Joey Costello on receiving the Eagle Award of the Boy Scouts of America; and

Joey
Costello.

Thomas
Paine.

Resolutions (filed by Ms. Story of Amherst) recognizing Thomas Paine in the year of the two-hundredth anniversary of his death.

Papers from the Senate.

The Speaker being in the Chair,— A committee of the Senate was admitted, whereupon Senator Chandler, for the committee transmitted an Order which had been adopted by the Senate, as follows:

Committee to
carve votes
for Councillors.

Ordered, That a joint committee to consist of members of the Senate and the House of Representatives be appointed for the purpose of canvassing the votes for Councillors in the several districts.

The order then was adopted, in concurrence.

Representatives O'Flaherty of Chelsea, Donato of Medford and Peterson of Grafton then joined with the committee of the Senate.

An Order, having been adopted by the Senate, was considered forthwith; and it was adopted, in concurrence, as follows:

Secretary
to notify
Councillors.

Ordered, That the Secretary of the Commonwealth give notice to Carole A. Fiola of Fall River, Kelly A. Timilty of Boston, Marilyn M. Petitto-Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Mary-Ellen Manning of Salem, Michael J. Callahan of Medford, Thomas J. Foley of Worcester and Thomas T. Merrigan of Greenfield, that they have been duly elected Councillors to advise the Governor in the executive part of the government.

Recess.

Recess.

At three minutes before twelve o'clock noon, the Chair (Mr. Donato of Medford) declared a recess, subject to the call of the Chair, for the purpose of conducting the joint session.

Joint
Convention.

Pursuant to assignment, at three minutes before twelve o'clock noon, the two branches met in

CONVENTION

in the Chamber of the House of Representatives, for the purpose of administering the oath of office to the several Councillors-elect, and were called to order by the Honorable Therese Murray, President of the Senate.

Order Adopted.

On motion of Mr. Berry,—

Ordered, That a committee be appointed to consist of members of the Senate and the House of Representatives to wait upon the several Councillors-elect and inform them that the two branches of the General Court are now in convention for the purpose of administering oaths required to qualify them for the discharge of their duties of their offices.

Senators Morrissey of Norfolk and Plymouth, Richard T. Moore of Worcester and Norfolk, McGee of Essex and Middlesex, Pacheco

of Plymouth and Bristol and Brown of Norfolk, Bristol and Middlesex were appointed the committee on the part of the Senate; Representatives Donato of Medford, Scaccia of Boston, Mariano of Quincy, Fagan of Taunton, Jones of North Reading and Peterson of Grafton were appointed the committee on the part of the House.

Mr. Morrissey, for the committee, afterwards reported that the Councillors-elect would immediately attend upon the Convention.

Distinguished Guests.

The President introduced Deputada (Representative) Aparecida Gama (Immediate Past Chair of the Women's Council of the Parliamentary Confederation of the Americas), Deputada Cidinha Campos and Deputada Graca Mattos, members of the state legislatures in Brazil, who are members of UNALE, Brazil's national state legislative association (comparable to the National Conference of State Legislatures). They were the guests of Senator Richard T. Moore of Worcester and Norfolk.

Distinguished
Guests.

At five minutes past twelve o'clock noon, the Honorable Timothy P. Murray, the Lieutenant Governor, A. Joseph DeNucci, Auditor of the Commonwealth, and the Councillors-elect, entered the Chamber, under the escort of the Sergeant-at-Arms.

Councillors-
elect.

Before the President of the Senate, and in the presence of the two Houses of Assembly, at eight minutes past twelve o'clock noon, the oaths and affirmations of office were then administered to, and subscribed by Carole A. Fiola of Fall River, Kelly A. Timilty of Boston, Marilyn M. Petitto-Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Mary-Ellen Manning, Michael J. Callahan, Thomas J. Foley and Thomas T. Merrigan as Councillors.

Oath of
Office.

The Lieutenant-Governor, the Auditor and Honorable Council then withdrew from the Chamber, under the escort of the Sergeant-at-Arms.

On motion of Mr. Kennedy, at seventeen minutes past twelve o'clock noon, the Convention was dissolved; and the Senate withdrew from the House Chamber, under the escort of the Sergeant-at-Arms.

Order.

On motion of Mr. Rogers of Norwood,—

Ordered, That the Secretary of the Commonwealth give notice to His Excellency the Governor that Carole A. Fiola of Fall River, Kelly A. Timilty of Boston, Marilyn M. Petitto-Devaney of Watertown, Christopher A. Iannella, Jr., of Boston, Mary-Ellen Manning of Salem, Michael J. Callahan of Medford, Thomas J. Foley of Worcester and Thomas T. Merrigan of Greenfield have been duly

Governor
notified of
Councillors
qualification.

elected and qualified as Councillors to advise him in the Executive part of the government.

Recess.

Recess.

At twenty-seven minutes after twelve o'clock noon, the Chair (Mr. Donato of Medford) declared a recess, subject to the call of the Chair; and at twenty-five minutes after five o'clock P.M., the House was called to order with Mr. Donato in the Chair.

Orders.

On motions of Mr. DiMasi of Boston,—

Temporary
committee
on Ethics.

Ordered, That, there shall be a temporary committee on Ethics on the part of the House to consist of 11 members, 8 of whom shall be appointed by the Speaker and 3 of whom shall be appointed by the Minority Leader, provided that appointments made to such committee shall not be subject to the provisions of House Rules 18 and 18A.

The temporary committee on Ethics shall be authorized to utilize House committee resources of the various committees having expertise in the subjects referred to them.

The temporary committee on Ethics shall cease to exist 30 days from the day it was established.

Temporary
committees
on Pension
Reform and
Transportation.

Ordered, That, there shall be temporary committees on Transportation and Pension Reform on the part of the House to consist of 17 members, 14 of whom shall be appointed by the Speaker and 3 of whom shall be appointed by the Minority Leader, provided that appointments made to each committee shall not be subject to the provisions of House Rules 18 and 18A.

The temporary committees on Transportation and Pension Reform shall be authorized to utilize House committee resources of the various committees having expertise in the subjects referred to them.

The temporary committees on Transportation and Pension Reform shall cease to exist 30 days from the day they were established.

Temporary
committee
on Rules.

Ordered, That, there shall be a temporary committee on Rules on the part of the House to consist of 11 members, 8 of whom shall be appointed by the Speaker and 3 of whom shall be appointed by the Minority Leader, provided that appointments made to such committee shall not be subject to the provisions of House Rules 18 and 18A. The temporary committee on Rules on the part of the House shall be authorized to meet jointly with the temporary committee on Rules on the part of the Senate; and, when constituted in such manner, shall be authorized to perform the duties of the committees on Rules of the two branches, acting concurrently.

The temporary committee on Rules shall be authorized to utilize joint and House committee resources of the various committees having expertise in the subjects referred to them.

The temporary committee on Rules shall cease to exist upon the appointment of the permanent committee on Rules.

Messages from the Governor.

A message from His Excellency the Governor recommending legislation relative to improving the laws relating to ethics and lobbying (House, No. 95), was filed in the office of the Clerk on Wednesday, January 7. The message was read; and it was referred, under Rule 30, to the temporary committee on Ethics.

Ethics and
lobbying.

A message from His Excellency the Governor recommending legislation relative to extending emergency powers to reduce allotments during the past fiscal year (House, No. 96), was filed in the office of the Clerk on Wednesday, January 7. The message was read; and it was referred, under Rule 30, to the temporary committee on Rules.

9C powers,
extend.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-nine minutes before six o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.